

it is all of them—whose governmental entities, whose police forces, are being funded by money appropriated by the Congress out of the taxes collected from all of the American people. The proposal does not change any substantive laws. It simply says if, in fact, the law has been violated, there should be a remedy in a neutral Federal court—we have not extended it to State courts—but in a neutral Federal court.

Is it fair to prevent a family from seeking justice for the wrongful death of their son? Is it fair that a claim of age discrimination cannot be made or decided in a neutral court? Is it fair that a decision of the Supreme Court of the United States on taxes cannot effectively be enforced? It is not, Mr. President, and claims that sovereignty is somehow undercut by saying that the sovereign is subject to the laws is simply not the case.

The claim of those who believe we should make no change is a claim that an Indian tribe can act in a totally lawless fashion and not be held responsible in any court of the United States for those lawless actions.

It can be dressed up in whatever fancy language about sovereignty that one may propose, but it comes right down to that proposition: Is it fair that if you are injured by a New York City policeman you can sue New York City, but if you are injured by a Yakama tribal police officer, you may not sue its tribe. The doctrine is one that stems from the kings of England. It is an anachronism in today's world. Under constitutional guarantees of due process to every American citizen, every American citizen should be granted the opportunity to bring his or her case in a neutral court and get an answer as to whether or not crimes have, in fact, been committed. The only issue that will be involved in this case is, Should any government be permitted to act in an entirely lawless fashion and not be called to account for its acts? The answer to that question is "no". We should not be involved in that kind of action, and the only body with constitutional authority to make that decision across this United States is the Congress of the United States. The buck stops here.

#### SUBMITTING CHANGES TO THE BUDGET RESOLUTION DISCRETIONARY SPENDING LIMITS, APPROPRIATE BUDGETARY AGGREGATES, AND APPROPRIATIONS COMMITTEE ALLOCATION

Mr. DOMENICI. Section 314(b)(2) of the Congressional Budget Act, as amended, allows the chairman of the Senate Budget Committee to adjust the discretionary spending limits, the appropriate budgetary aggregates and the Appropriations Committee's allocation contained in the most recently adopted budget resolution—in this case, House Concurrent Resolution 84—to reflect additional new budget au-

thority and outlays for continuing disability reviews subject to the limitations in section 251(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act.

I ask unanimous consent that revisions to the nondefense discretionary spending limits for fiscal year 1998 contained in sec. 201 of House Concurrent Resolution 84 in the following amounts be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1998

|   |                   |
|---|-------------------|
| Budget Authority:                                     |                   |
| Current nondefense discretionary spending limit ..... | \$261,698,000,000 |
| Adjustment .....                                      | 245,000,000       |
| Revised nondefense discretionary spending limit ..... | 261,943,000,000   |
| Outlays:  |                   |
| Current nondefense discretionary spending limit ..... | 286,556,000,000   |
| Adjustment .....                                      | 230,000,000       |
| Revised nondefense discretionary spending limit ..... | 286,786,000,000   |

I hereby submit revisions to the budget authority, outlays, and deficit aggregates for fiscal year 1998 contained in sec. 101 of H. Con. Res. 84 in the following amounts:

|                         |                   |
|-------------------------|-------------------|
| Budget Authority:       |                   |
| Current aggregate ..... | 1,390,541,000,000 |
| Adjustment .....        | 245,000,000       |
| Revised aggregate ..... | 1,390,786,000,000 |
| Outlays:                |                   |
| Current aggregate ..... | 1,372,111,000,000 |
| Adjustment .....        | 230,000,000       |
| Revised aggregate ..... | 1,372,341,000,000 |
| Deficit:                |                   |
| Current aggregate ..... | 173,111,000,000   |
| Adjustment .....        | 230,000,000       |
| Revised aggregate ..... | 173,341,000,000   |

I hereby submit revisions to the 1998 Senate Appropriations Committee budget authority and outlay allocations, pursuant to sec. 302 of the Congressional Budget Act, in the following amounts:

|   |                 |
|---|-----------------|
| Budget Authority:                                 |                 |
| Current Appropriations Committee allocation ..... | 801,276,000,000 |
| Adjustment .....                                  | 245,000,000     |
| Revised Appropriations Committee allocation ..... | 801,521,000,000 |
| Outlays:  |                 |
| Current Appropriations Committee allocation ..... | 828,183,000,000 |
| Adjustment .....                                  | 230,000,000     |
| Revised Appropriations Committee allocation ..... | 828,413,000,000 |

#### SUBMITTING CHANGES TO THE BUDGET RESOLUTION ALLOCATION TO THE APPROPRIATIONS COMMITTEE

Mr. DOMENICI. Mr. President, to comply with the provisions of Public Law 105-33, the Balanced Budget Act of 1997, that amend the Congressional Budget Act of 1974, I hereby submit a revised allocation for the Appropriations Committee pursuant to section 302(a) of the Budget Act.

This revised allocation includes all previous adjustments made to section

201 of House Concurrent Resolution 84, the concurrent resolution on the budget for fiscal year 1998, and to the Appropriations Committee budget authority and outlay allocations pursuant to section 302 of the Budget Act.

This revised allocation also includes an adjustment to the Appropriations Committee budget authority and outlay allocations pursuant to section 205 of House Concurrent Resolution 84 regarding priority Federal land acquisitions and exchanges.

I ask unanimous consent that the revised allocation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

|                                    | Budget authority | Outlays         |
|------------------------------------|------------------|-----------------|
| Defense discretionary .....        | 269,000,000,000  | 266,820,000,000 |
| Nondefense discretionary .....     | 262,643,000,000  | 287,043,000,000 |
| Violent crime reduction fund ..... | 5,500,000,000    | 3,592,000,000   |
| Mandatory .....                    | 277,312,000,000  | 278,725,000,000 |
| Total allocation .....             | 807,721,000,000  | 832,262,000,000 |

#### JOB CORPS

Mr. ROTH. Mr. President, I rise to express my sincere interest in establishing a Job Corps campus within my home State of Delaware. Today, the Senate considers legislation increasing our commitment to the Job Corps program—a program to educate and provide job training to youth at high risk of falling into government dependent or criminal lifestyles. Most of the young people who benefit from the Job Corps' services live at residential centers in their home States. In some cases, students enrolled in Job Corps can even commute from their homes. Currently, Delaware's young people do not have either of these options available to them. This situation potentially limits the number of my young constituents able to take advantage of the Job Corps, cutting off a path to self-reliance and a brighter future for many.

My office has worked in concert with a host of Delaware's other elected and appointed officials on this issue. It is my hope that a small portion of the funding this legislation dedicates to this program can be used to begin establishment of a Delaware Job Corps facility. I applaud Senators STEVENS and SPECTER for including an acknowledgement of our efforts to bring a Job Corps campus to Delaware in S. 1061's accompanying committee report. I look forward to working with the administration on this important matter.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 2, 1997, the Federal debt stood at \$5,424,368,836,901.08. (Five trillion, four hundred twenty-four billion, three hundred sixty-eight million, eight hundred thirty-six thousand, nine hundred one dollars and eight cents)

Five years ago, September 2, 1992, the Federal debt stood at \$4,044,021,000,000.

(Four trillion, forty-four billion, twenty-one million)

Ten years ago, September 2, 1987, the Federal debt stood at \$2,358,780,000,000. (Two trillion, three hundred fifty-eight billion, seven hundred eighty million)

Fifteen years ago, September 2, 1982, the Federal debt stood at \$1,109,939,000,000 (One trillion, one hundred nine billion, nine hundred thirty-nine million) which reflects a debt increase of more than \$4 trillion—\$4,314,429,836,901.08 (Four trillion, three hundred fourteen billion, four hundred twenty-nine million, eight hundred thirty-six thousand, nine hundred one dollars and eight cents) during the past 15 years.

#### TRIBUTE TO DR. RICHARD LESHER

Mr. HATCH. Mr. President, I rise to pay a word of tribute to Dr. Richard Leshner, outgoing president of the U.S. Chamber of Commerce.

Mr. President, it has been my pleasure to know and work with Dick Leshner since I was a freshman Member of the Senate. We have served in the army of free enterprise in many important legislative battles. Dick was a dedicated fighter for small businesses.

Dick can also be justifiably proud of the growth and success of the U.S. Chamber over the last 22 years. During his tenure as president, the Chamber has grown to 215,000 strong.

The Chamber has also expanded its information services to include television. "First Business" is carried on 42 local stations, the USA Latin American channel, and USIA's WorldNet. "It's Your Business" is seen on USA Cable Network and 140 stations around the country.

Dick Leshner also took very seriously the Chamber's responsibility to help educate the next generation of business leaders and created the Center for Workforce Preparation.

These are just a few of Dick Leshner's many accomplishments as president of the flagship business organization in our country.

But, Dick is a man we can appreciate as much for who he is as for what he did. I have always known Dick Leshner to be straightforward and honest. He never pulled punches. You knew where you stood. And, even if Dick disagreed on a matter of policy, he admired his opponents' convictions. Such a fair-minded attitude sets the stage for alliances on other issues. And, I have always believed, having genuine respect for everyone on the playing field is not only good business, it is a hallmark of good character.

Dick is leaving the Chamber to return to his hometown in Chambersburg, PA. I wish him all the best in his new home and, hopefully, more relaxed lifestyle.

But, while he will be leaving the day-to-day battles on labor and tax policy to his successor, I do not believe for a minute that he is retiring. I know that he will remain informed and engaged in

the myriad of issues that affect the health and growth prospects of American business. And, I look forward to his continued counsel and insights.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting treaties and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MEASURES REFERRED

The following bill, previously received from the House of Representatives for the concurrence of the Senate, was read the first and second times by unanimous consent and referred as indicated:

H.R. 765. An act to ensure maintenance of a herd of wild horses in Cape Lookout National Seashore; to the Committee on Energy and Natural Resources.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2875. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the sequestration update report for fiscal year 1998; referred jointly, pursuant to the order of August 1977, to the Committee on the Budget and to the Committee on Governmental Affairs.

EC-2876. A communication from the Administrator of the Health Care Financing Administration, Department of Health and Human Services, transmitting, pursuant to law, a rule entitled "End-Stage Renal Disease Payment Exception Requests and Organ Procurement Costs" (RIN0938-AG20) received on August 26, 1997; to the Committee on Finance.

EC-2877. A communication from the Chief of the Regulations Branch, U.S. Customs Services, Department of the Treasury, transmitting, pursuant to law, a rule entitled "Duty-Free Treatment of Articles Imported From U.S. Insular Possessions" (RIN1515-AB14) received on August 28, 1997; to the Committee on Finance.

EC-2878. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, the report of the texts of international agreements, other than treaties, and background statements; to the Committee on Foreign Relations.

EC-2879. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the report of Presidential Determination 97-30; to the Committee on Foreign Relations.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. MOYNIHAN (for himself, Mr. D'AMATO, and Mr. GRAHAM):

S. 1142. A bill to repeal the provision in the Taxpayer Relief Act of 1997 relating to the termination of certain exceptions from rules relating to exempt organizations which provide commercial-type insurance; to the Committee on Finance.

By Mr. ALLARD (for himself and Mr. CAMPBELL):

S. 1143. A bill to prohibit commercial air tours over the Rocky Mountain National Park; to the Committee on Commerce, Science, and Transportation.

By Mr. MOYNIHAN (for himself and Mr. D'AMATO):

S. 1144. A bill disapproving the cancellation transmitted by the President on August 11, 1997, regarding Public Law 105-33; to the Committee on Finance.

By Mr. GRAMS:

S. 1145. A bill to amend the Social Security Act to provide simplified and accurate information on the social security trust funds, and personal earnings and benefit estimates to eligible individuals; to the Committee on Finance.

By Mr. ASHCROFT:

S. 1146. A bill to amend title 17, United States Code, to provide limitations on copyright liability relating to material on-line, and for other purposes; to the Committee on the Judiciary.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH (for himself, Mr. LEAHY, Mr. DASCHLE, Mr. SPECTER, Ms. LANDRIEU, Mr. BIDEN, Ms. MIKULSKI, Mr. DODD, Mr. GRAHAM, Mrs. FEINSTEIN, and Ms. MOSELEY-BRAUN):

S. Res. 118. A resolution expressing the condolences on the death of Diana, Princess of Wales, and designating September 6, 1997, as a "National Day of Recognition for the Humanitarian Efforts of Diana Princess of Wales."; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MOYNIHAN (for himself, Mr. D'AMATO and Mr. GRAHAM):

S. 1142. A bill to repeal the provision in the Taxpayer Relief Act of 1997 relating to the termination of certain exceptions from rules relating to exempt organizations which provide commercial-type insurance; to the Committee on Finance.

##### LEGISLATION REPEALING CERTAIN PROVISION OF THE TAXPAYER RELIEF ACT

Mr. MOYNIHAN. Mr. President, I rise today to introduce legislation that would repeal an irrational provision of the Taxpayer Relief Act of 1997. I refer to section 1042 of that act, which took away the tax exempt status of TIAA-CREF, the Teacher's Insurance Annuity Association College Retirement Equities Fund. The legislation I am introducing today, with Senators D'AMATO